

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES
(Docket No. CRD1061 CIP1)

RECEIVED
CENTRAL FAX CENTER
OCT 07 2008

In re the Application of:)	Customer No. 27717
)	
David Grewe et al.)	
)	Group Art Unit: 3736
Serial No.: 10/691,823)	
)	
Filed: October 23, 2003)	Examiner: J. Hoekstra
)	
For: Guidewire with Deflectable Tip)	
Having Torque Characteristics)	

REQUEST TO CHANGE HEARING DATE

This is in response to the Notice of Hearing mailed September 29, 2008, a copy of which is attached.

I am the patent attorney who has handled the prosecution of the above identified patent application. I prepared the appeal briefs and I am the person most familiar with the above patent application. The Notice of Hearing sets the hearing date for Thursday, November 6, 2008. Unfortunately, I am committed to attending a charitable event in Chicago on November 6, 2008, and I would be unable to attend the hearing that has been set unless I was the first hearing (at 9 AM). The charitable event is the Jewish United Fund Vanguard Dinner in which I am personally involved. I believe the event would suffer if I did not attend and participate. Therefore, I respectfully request that the hearing date be re-set to another date, so I will be able to attend the charitable event. Alternatively, if I am the first hearing of the day, I would be able to attend both the hearing and the charitable event.

CH1 11576254.1

Please do not hesitate to get in touch with me if you have any questions.

Respectfully submitted,

SEYFARTH SHAW LLP



George H. Gerstman
Registration No. 22,419
Attorney for Appellants

SEYFARTH SHAW LLP
131 So. Dearborn Street, Suite 2400
Chicago, Illinois 60603
(312) 460-5567

Certificate of Facsimile

I hereby certify that this correspondence is being sent via facsimile to the U.S. Patent and Trademark Office (Central Fax No. 571-273-8300 and to BPAI Hearing Fax No. 571-273-0299) on Oct. 7, 2008.



Registered Attorney for Applicant

Date: Oct. 7, 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,823	10/23/2003	David Grewe	CRD1061CIP1	6328
27777 7590 09/29/2008 PHILIP S. JOHNSON JOHNSON & JOHNSON ONE JOHNSON & JOHNSON PLAZA NEW BRUNSWICK, NJ 08933-7003			EXAMINER HOBKSTRA, JEFFREY GERBEN	
			ART UNIT 3736	PAPER NUMBER
			MAIL DATE 09/29/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

RECEIVED
CENTRAL FAX CENTER
OCT 07 2008

RECEIVED
CENTRAL FAX CENTER

Page 1

OCT 07 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

PHILIP S. JOHNSON
JOHNSON & JOHNSON
ONE JOHNSON & JOHNSON
PLAZA
NEW BRUNSWICK, NJ 08933-7003

Appeal No: 2008-4373
Appellant: David Grewe, David C. Majercak et al.
Application No: 10/691,823
Hearing Room: B
Hearing Docket: A
Hearing Date: Thursday, November 06, 2008
Hearing Time: 09:00 AM
Location: Madison Building - East Wing
600 Dulany Street, 9th Floor
Alexandria, Virginia 22313-1450

NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address: Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. BOX 1450
Alexandria, Virginia 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: () HEARING ATTENDANCE CONFIRMED () HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Date

Registration No.

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
http://www.uspto.gov/tach/offices/dcom/ecomms/contact.htm#bpa_contacts